

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:17-CR-00137-RJC-DCK

USA

v.

ANTHONY JARBAR PETTUS (3)

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ORDER

THIS MATTER is before the Court upon motion of the defendant pro se, (Doc. No. 155), to reconsider the denial of his motion for appointed counsel to seek a sentence reduction, (Doc. No. 154: Order).

The United States Court of Appeals for the Fourth Circuit has ruled that neither the federal statutes nor the Rules of Criminal Procedure authorize a motion for reconsideration in a criminal case. United States v. Breit, 754 F.2d 526, 530 (4th Cir. 1985) (“[D]efendant’s remedies are limited by the statutes and Federal Rules of Criminal and Appellate Procedure . . .”). A defendant must file a notice of appeal within 14 days after the entry of the order being appealed. Fed. R. App. P. 4(b)(1)(A)(i). Additionally, it appears that the defendant is not eligible for relief under Amendment 821 because he would remain in the same criminal history category with the removal of status points. (Doc. No. 89: Presentence Report ¶ 73).

IT IS, THEREFORE, ORDERED that the defendant’s motion, (Doc. No. 155), is **DISMISSED**.

Signed: February 2, 2024



Robert J. Conrad, Jr.
United States District Judge

